

CITY OF MUSKEGON
PLANNING COMMISSION
REGULAR MEETING
MINUTES

August 11, 2016

Chairman T. Michalski called the meeting to order at 4:00 p.m. and roll was taken.

MEMBERS PRESENT: T. Michalski, B. Mazade, J. Doyle, F. Peterson, S. Gawron, B. Smith, B. Larson

MEMBERS ABSENT: E. Hood, J. Montgomery-Keast, excused

STAFF PRESENT: M. Franzak, D. Renkenberger

OTHERS PRESENT: J. Konyndyk, 2345 Hadden; D. Hoffman and M. McDermid, Family Promise of the Lakeshore; S. Lynn, 2079 Crozier; J. Weesies, 2341 Denmark, Rev. M. Ivanov, Lake Harbor United Methodist Church; A. Vredeveld, 2163 Harding

APPROVAL OF MINUTES

A motion that the minutes of the regular meeting of June 16, 2016 be approved, was made by J. Doyle, supported by B. Mazade and unanimously approved.

PUBLIC HEARINGS

Hearing, Case 2016-08: Request for a Special Land Use Permit to allow a church in a B-2, Convenience & Comparison Business district at 1965 Lakeshore Drive, by The Table Church. M. Franzak presented the staff report. The subject property is located in a B-2, Convenience & Comparison Business district, which allows churches with the issuance of a Special Use Permit from the Planning Commission. The church would be located in a small space on the western corner of the building that hosts the Lakeshore Tavern and smaller retail shops. There are no other churches located in the general vicinity of this location. Parking is the biggest issue to be considered in this request; however, the sketch of the church's floor plan that was submitted showed less than 39 seats in the church, which would require about six parking spaces. There were more than six spaces available for this tenant located behind the building. Notice was sent to properties within 300 feet of this property. Staff has not received any comments at the time of this writing.

M. Franzak stated that the church had provided a shared parking agreement with the Marine Tap Room, located across the side street from the proposed church. T. Michalski stated that there had been a church located in the Harbor Theater building in the past, and asked what type of problems that could cause. M. Franzak stated that, since this was a business district, it was important to ensure that there were enough spaces for businesses.

A motion to close the public hearing was made by B. Larson, supported by F. Peterson and unanimously approved.

A motion that the Special Land Use Permit for a church at 1965 Lakeshore Drive be approved as proposed, was made by B. Larson, supported by B. Smith and unanimously approved, with T. Michalski, B. Mazade, J. Doyle, F. Peterson, S. Gawron, B. Smith, and B. Larson voting aye.

Hearing, Case 2016-09: Request for a Special Land Use Permit to allow a day center to provide programs in support of homeless families in an R-1, Single Family Residential district at 2160 Crozier Avenue, by Family Promise of the Lakeshore. M. Franzak presented the staff report. The property was located in an R-1, Single Family Residential district, and was most recently used by Lakeside Methodist Church. The church had moved out of the building and donated it to Family Promise of the Lakeshore. In August of 2013, the Planning Commission approved a Special Land Use Permit (SLUP) for Family Promise's current location at 1275 Kenneth St., which has now been sold. Churches, schools and other non-profit agencies are allowed to operate in R-1, Single Family Districts as long as they receive a SLUP from the Planning Commission. The ordinance also states that other similar uses are allowed with a SLUP. Staff determined that this proposed use was similar enough to be allowed to petition for a SLUP. Services at the facility on Crozier Avenue would be similar to those available at the Kenneth Street location. They planned to provide a day center for homeless families between the hours of 6:00 a.m. and 5:00 p.m. Families would have access to a social worker, and would be offered life skill classes including budgeting, tenancy, parenting, nutrition and civic engagement. There would also be laundry services, showers and areas for children to play while parents are occupied. Family Promise personnel have stated that there will be no overnight sleeping arrangements allowed on site and all families must leave by 5:00 p.m. A press release from Family Promise provided additional information on the facility. A floor plan showed the conversion of a few meeting rooms into family rooms, a laundry facility, restrooms and showers.

M. Franzak stated that there had been some confusion from staff and the general public regarding the extent of this request. The applicant had stated that the proposed use would be identical to one they were approved for on Kenneth St. However, that location had been approved for overnight use. If this request was approved, it would be important to include a condition that no one was allowed to stay overnight or use any of the rooms as dwelling places. M. Franzak noted that enforcing the overnight stays would be extremely difficult, as it would be very hard to monitor activities after dark. He also noted that he had not received any complaints regarding the Kenneth St. location. Notice was sent to neighbors within 300 feet of this property. Staff had received several inquiries into what this request entails, and received four phone calls from neighbors that were opposed to the request: A. Vredeveld of 2163 Harding Ave, L. Halberda of 2062 Sisson, and J. and S. Weesies of 2341 Denmark

D. Hoffman was the Chairman of the Board of Trustees of Family Promise of the Lakeshore. He discussed the organization and its mission. The new location on Crozier offered a reduction in overhead expenses. He stated that they had no intention of creating multi-family housing there, but they would like to have a live-in caretaker. In addition to serving families during the day, the building would serve as a meeting place for the neighborhood. B. Larson asked how the clients would be transported to and from the facility. D. Hoffman stated that Family Promise had vans to transport people, as well as public transportation. S. Lynn lived in the area and was concerned about the added traffic at the intersection where the church was located, and how late the building would be open for events like fundraisers. J. Weesies was concerned about the possibility of people being turned away from the facility and roaming the neighborhood with nowhere to go. Rev. M. Ivanov stated that her church hosted families 4 to 5 times a year and she was impressed with the program's structure and guidelines. M. McDermid, Executive Director of Family Promise, explained their program's intake procedures. She stated that they have been in the community for over 7 years and had never had anyone just walk in and ask for services. They also

performed background checks on their applicants, which are families, not single individuals. B. Smith lived in the area and was concerned about what could happen with this property in the future. T. Michalski stated that Family Promise would be bound by the conditions of the Special Use Permit. B. Larson added that any change in the use would have to come back before the Planning Commission. A. Vredevelde stated that he was still concerned with the organization housing people overnight at the location. T. Michalski asked M. Franzak if the zoning would allow a single family to live in the building. M. Franzak stated that zoning could allow it but it would require an inspection by SafeBuilt to ensure it was up to code for residential use.

A motion to close the public hearing was made by B. Larson, supported by J. Doyle and unanimously approved.

T. Michalski stated that he lived in the vicinity of two homeless shelters and had never encountered problems with its residents coming to his house. B. Mazade asked how the proposed use fit into the zoning ordinance. M. Franzak stated that churches, schools and other similar uses were allowed in residential areas with Planning Commission approval, and he determined that this was a similar use. B. Larson stated that, while he understood the concerns voiced by neighbors, it seemed that the proposed use would create less traffic compared to the church that was previously there. S. Gawron asked if the zoning would allow a live-in caretaker. M. Franzak stated that it could, provided that the building was inspected, met the conditions for a rental home, and was issued a certificate of occupancy. T. Michalski asked if there was a residence within the building. D. Hoffman stated that there was not, but the necessary facilities were there. Board members discussed the overnight caretaker issue.

A motion to table this case until more information on the caretaker was obtained was made by B. Larson and supported by J. Doyle. The motion was defeated, with T. Michalski, B. Larson, and J. Doyle voting aye, and S. Gawron, F. Peterson, B. Smith, and B. Mazade voting nay.

A motion that the Special Land Use Permit for the day center to provide programs in support of homeless families at 2160 Crozier Avenue be approved, with the conditions that the building is not used as a residence for anyone and there shall be no overnight accommodations, was made by F. Peterson and supported by S. Gawron, with discussion continuing on the motion. T. Michalski stated that he preferred someone staying at the building rather than having it vacant at night and on weekends. B. Smith asked if the applicant could come back before the Planning Commission with the caretaker request. M. Franzak stated that they could amend their request to include a caretaker. A vote was taken on the above motion and approved, with T. Michalski, J. Doyle, F. Peterson, S. Gawron, B. Smith, and B. Larson voting aye, and B. Mazade voting nay.

Hearing, Case 2016-10: Staff-initiated request to create a new zoning district, Lakefront Recreation & Residential PUD district. Staff tabled this hearing until the July meeting. A copy of the proposed amendment was provided for commissioners' review and they were asked to forward any comments to staff by June 30.

B. Mazade asked if the proposed district was replacing a current zoning district, or if it was new. M. Franzak stated that it was new.

NEW BUSINESS

None

OLD BUSINESS

None

OTHER

Barclay Avenue storage facility – J. Doyle stated that the Planning Commission had required that this facility install sidewalks but it had not been done yet. M. Franzak stated that there were funds in escrow to help ensure that it got done.

Amoco property on Lakeshore Drive – T. Michalski asked M. Franzak to provide a brief update on the status of the former Amoco property next month.

There being no further business, the meeting was adjourned at 5:05 p.m.